

REMARKS

Favorable reconsideration of this application, in light of the preceding, amendments and following remarks, is respectfully requested. Claims 1, 15-17, 19-22, 27-28 and 30-37 are pending in this application. By this Amendment, claims 1, 15-16, 19-22, 30, 32, 34 and 36 are amended. By this Amendment, no claims are added or cancelled. Claims 1 and 19-22 are the independent claims.

Because the amendments to claims 1, 15-16, 19-22, 30, 32, 34 and 36 raise new issues requiring a further search and/or consideration, Applicants have filed a Request for Continued Examination (RCE) to ensure its consideration. Any subsequent action other than a Notice of Allowance or Quayle Action should be **Non-Final**. However, in light of the above amendments and following remarks, Applicants respectfully submit that this application is now in a condition for allowance.

Telephone Interview

Applicants thank the Examiner for granting the telephone interview conducted on March 3, 2010. During the interview, Applicants discussed the rejection to independent claim 1 under 35 U.S.C. §103(a) as being unpatentable over Kato (U.S. Patent Publication No. 2002/0145702, hereinafter "Kato1") in view of De Haan (U.S. Patent Publication No. 2009/0180757, hereinafter "De Haan"), and further in view of deCarmo (U.S. Patent No. 6,643,450, hereinafter "deCarmo"), Hamada (U.S. Patent Publication No. 2008/0253742, hereinafter "Hamada") and Kato (U.S. Patent Publication No. 2003/0086568, hereinafter "Kato2"). As indicated in the March 17, 2010 Interview Summary, no agreement was reached. None-the-less, Applicants still do not agree that these references disclose or suggest the features of the independent claims for the reasons discussed below.

Rejections under 35 U.S.C. § 103

The Examiner has rejected claims 1, 19-22, and 27-28 under 35 U.S.C. § 103(a) as being unpatentable over Kato1 in view of De Haan, and further in view of deCarmo, Hamada and Kato2, and claims 15-17 and 30-37 under 35 U.S.C. §103(a) as being unpatentable over Kato1 in view of De Haan, and further in view of deCarmo, Hamada, Kato2, and Nakatani (U.S. Patent Publication No. 2002/0114614). Applicants respectfully traverse these rejections for the reasons detailed below.

The Examiner asserts that FIG. 14 of Kato1 discloses “a stream file”, “a clip information file”, and “a playlist file” as recited in independent claim 1. Further, the Examiner asserts that the clip information file (CLIPINF), the playlist file (PLAYLIST), and the stream file (M2TS) of FIG. 14 of Kato1 are separate and have different file extensions from each other. However, the Examiner *acknowledges* that Kato1 does not disclose or suggest “a navigation file” as recited in claim 1. Further, the Examiner acknowledges that Kato1 does not disclose any of the details of the navigation file. See Office Action, page 5. Rather, the Examiner relies upon *4 different references* (De Haan, deCarmo, Hamada, and Kato2) for allegedly disclosing “a navigation file including a path item, the path item including a first navigation command for launching a single playlist file to reproduce and a second navigation command for proceeding to a next path item, the path item providing parental control information for the at least one of video and audio data” and “wherein the stream file, the clip information file, the playlist file, and the navigation file are separate and have different file extensions from each other” as recited in claim 1. Applicants disagree, and submit that the Examiner’s reliance on De Haan is confusing and illogical. Also, De Haan is simply not combinable with Kato1 because Kato1 discloses a completely different file structure than the file structure in De Haan.

First, paragraphs [0045], [0064], [0083] and [0103-0104] of De Haan do not suggest “the path item including a first navigation command for launching a single playlist file to reproduce”, as recited in claim 1. For example, the Examiner appears to assert that the “first navigation command for launching a single playlist file to reproduce” of claim 1 reads on the “pre-command” in a dummy program chain of the root menu of De Haan because the pre-command pulls up the Title Menu, which allows the user to select one of the Playlists by “clicking” on the name of the PlayList. See De Haan at paragraph [0051] and page 5 of the Office Action. In other words, the “pre-command” coupled with the “clicking” on the name of the PlayList allegedly corresponds to the first navigation command of claim 1. Applicants strongly disagree for a number of reasons.

First, the “pre-command” or the subsequent “clicking” on the name of the PlayList is **not** a first navigation command for launching a single **playlist file** to reproduce” as required by claim 1. For instance, a playlist file is defined in claim 1 as “a playlist file including at least one playitem, the playitem identifying a pair of in-point and out-point pointing to the presentation time stamps in a clip of the at least one of video and audio data.” The Examiner asserts that the PlayList Title of De Haan corresponds to the “playlist file” of claim 1. The PlayList Title of De Haan is defined as a “[t]itle representing a *play back sequence of cells* from one recording.” See paragraph [0045] of De Haan. Because the technical meaning of the Playlist Title of De Haan is **completely different** from that of the playlist file of claim 1, De Haan does not disclose launching a **playlist file**. For instance, the PlayList Title of De Haan represents a *playback sequence of cells*, whereas the playlist file of claim 1 identifies a pair of in-point and out-point pointing to the presentation time stamps in a clip. Representing a playback sequence of cells is **not the same** as identifying a pair of in-

point and out-point pointing to the presentation time stamps in a clip. Therefore, the PlayList Title of De Haan cannot possibly be the playlist file of claim 1.

Second, assuming for the sake of argument that the Playlist Title of De Haan corresponds to the “playlist file” of claim 1, De Haan still does not disclose or suggest “a first navigation command for **launching a single playlist file.**” The pre-command of De Haan “call[s] the Title Menu.” See paragraph [0064] of De Haan. The Playlist Title is accessible via the Title Menu. See paragraph [0045] of De Haan. In other words, the pre-command of De Haan does **not** launch the Playlist Title, but **only a Title Menu.** The Title Menu merely provides access to the Playlist Titles. However, the pre-command of De Haan does not **directly launch** one of the Playlist Titles. Showing the Playlist Titles via the Title Menu is not **launching a single playlist file for reproduction.** In order to actually launch the PlayList of De Haan, a user must then select a desired PlayList Title among the multiple PlayList Titles shown in the Title Menu. However, the subsequent “clicking” on the name of the PlayList Title by the user is **not** a navigation command in a **navigation file** because the command is given by the user for a desired PlayList – **not** contained within a path item, which is included within a navigation file.

Applicants direct the attention of the Examiner to FIGS. 12-13 of the present invention for a non-limiting embodiment of the “navigation file” of claim 1. It is immediately apparent that the dummy PGC of De Haan that includes a pre-command for pulling up a title menu (that includes a plurality of PlayList Titles for a user to select) is **very different** from the navigation file of claim 1 that includes a first navigation command and a second navigation command as shown in FIG. 13 of the present invention.

None-the-less, Applicants have tried to work with this interesting interpretation of De Haan by amending independent claim 1 to recite “a **single** playlist file”, which

the Examiner's supervisor agreed distinguished De Haan (e.g., if the pre-command of De Haan launches a plurality of PlayLists, then the pre-command cannot possible launch a **single** playlist file). See June 23, 2009 Interview with. In response, the Examiner alleges that "it is possible that [the title] menu includes only one or single playlist, and that single playlist will be accessible via the title [menu] (referring to no name)." See page 3 of the Office Action. Further, the Examiner cites to paragraph [0121-0122] of Kato2 as showing one playlist file name corresponding to one playlist. See page 6 of the Office Action. These paragraphs of Kato merely illustrates that a file (e.g., xxxxx.rpls) relates to one Real PlayList. *Nothing* in Kato1 or De Haan suggests that a path item includes a first navigation command for launching a single playlist file.

Also, paragraphs [0083] and [0103-0104] of De Haan cited by the Examiner do not overcome these deficiencies. For example, paragraph [0083] of De Haan states "[t]he first play program chain (FP_PGC) contains just a JumpSS to the Title Menu as a precommand." This paragraph discloses another type of program chain other than the dummy program chain, which provides a precommand to pull up the Title Menu. However, this precommand is equally irrelevant to the precommand described above. Paragraphs [0103]-[0104] illustrate three commands in a PGC Command Table (PGC_CMDT) that (i) link the PGCN to a PGC of a next Real Title and (ii) pull up the Title Menu. However, none of these commands **launch** a **single playlist file** within the meaning of claim 1.

Third, Applicants submit that the program chain of De Haan cannot be combined in the playlist/clip information data structure of Kato1. They have *completely* different file structures. For instance, De Haan uses a Video Manager (VMG) stored in a Video Manager area of the recording disc for controlling reproduction of a DVD disc. In contrast, Kato1 uses a playlist file and clip information file for controlling reproduction of a high density recording disc. One of ordinary skill

in the art would simply not combine the “pre-command” and the “post-command” (which links to another PGC) of De Haan into a file data structure shown in Kato1 because such a combination would render Kato1 inoperable.

Fourth, Hamada fails to disclose “wherein the stream file, the clip information file, the playlist file, and the navigation file are separate and have different file extensions from each other” as recited in claim 1. For example, the Examiner asserts that the file “info.dvr” of FIG. 5 of Hamada corresponds to the “navigation file” of claim 1. However, the file “info.dvr” of Hamada does not include a navigation file including a path item, the path item including a first navigation command. Rather, the file “info.dvr” merely contains general information about the recording disc. As a result, Hamada could not possibly disclose a playlist file having a different file extension from the navigation file because Hamada does not illustrate a “navigation file.”

Therefore, Kato1, De Haan, Hamada, deCarmo and Kato2, alone or in any combination, cannot possibly render independent claim 1 obvious to one of ordinary skill in the art. Independent claims 19-22 contain features similar to the above identified features of claim 1, and therefore are patentable for at least the same reasons stated above. Further, the dependent claims, dependent on claims 1 and 19-22, are patentable for at least the same reasons stated above. Furthermore, Nakatani does not illustrate a length field indicating a length of the path item, and an attribute field indicating at least one attribute of the path item, as required by claims 15 and 16, respectively. For instance, paragraphs [0069] and [0075] of Nakatani do not illustrate a *navigation file* that includes a “field” that indicates a length of the path item, and a “field” that indicates at least one attribute of the path item. As such, Applicants respectfully request that these rejections be withdrawn.

CONCLUSION

In view of the above remarks and amendments, the Applicants respectfully submit that each of the pending objections and rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

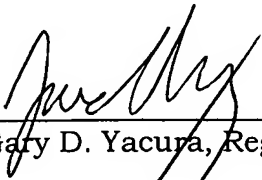
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura, at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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